

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

AMENDED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB  
92/02/18-0183 (herein "Amended Supplemental Order")

ELECTIONS: UNIT SLW-5  
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Amended Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on June 16, 1992 and October 20, 1992; and this Amended Supplemental Order is being recorded for the purposes of (1) amending the Supplemental Order Regarding Elections Unit: SLW-5 entered by the Board in the captioned matter on April 4, 1996 which was recorded at Deed Book 447, Page 817 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on April 17, 1996 (herein "Original Supplemental Order"); and (2) complying with the Board Order entered in VGOB Docket No. 97/05/20-0580-01 on April 15, 1998, which was recorded on July 8, 1997 in Deed Book 475, Page 383, in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia.

Findings: The Board finds that:

The Board order entered in the captioned matter on April 29, 1992, which was recorded at Deed Book 390, Page 697 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia on May 1, 1992 (herein "Pooling Order") required each Respondent whose interests, if any, were pooled by the terms of said Pooling Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Pooling Order.

That the Unit Operator's affidavit and exhibits attached and made a part of the Original Supplemental Order are deleted in toto and replaced by the Unit Operator's amended affidavit and exhibits attached hereto (herein collectively "Amended Affidavit of Election") which identify the Respondent(s) making a timely election, if any; identify the Respondent(s), if any, who are deemed to have leased; identify the interests and claims identified by the Operator as requiring escrow under Virginia Code Sections 45.1-361.21.D., 45.1-361.22.A.2., 45.1-361.22.A.3., and/or 45.1-361.22.A.4; and identify the Respondent(s), if any, whom the Operator requests the Board dismiss by reason of their having leased or entered into a voluntary agreement with the Applicant.

The Amended Affidavit of Elections indicates that the escrow of funds is required with regard to Unit SLW-5.

Order: By this Amended Supplemental Order, the Board orders the Designated Operator, if and to the extent it has not already done so, to tender, consistent with and in accordance with the findings set forth at Paragraph 2. above and the annexed Amended Affidavit of Elections, all funds subject to escrow and instructs the Escrow Agent, First Virginia Bank-Mountain Empire, c/o Trust Department, P. O. Box 1038, Abingdon, VA 24210, or any successor named by the Board, if it has not already done so, to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the attached Amended Affidavit of Elections to receive funds and account to the Board therefor.

Mailing of Order and Filing of Affidavit: The Designated Operator under the Pooling Order shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Amended Supplemental Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Amended Supplemental Order.

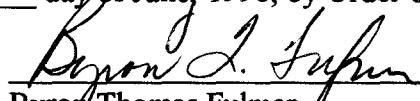
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 26<sup>th</sup> day of June, 1998, by a majority of the Virginia Gas and Oil Board.

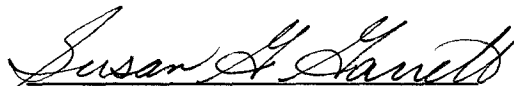
  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 13<sup>th</sup> day of June, 1998, by Order of the Board.

  
Byron Thomas Fulmer  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA     )  
COUNTY OF WISE        )

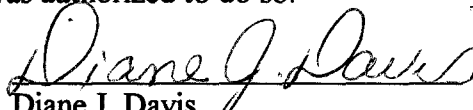
Acknowledged on this 26<sup>th</sup> day of June, 1998, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Susan G. Garrett  
Notary Public

My commission expires: July 31, 1998

STATE OF VIRGINIA     )  
COUNTY OF WASHINGTON }  
                                  }n

Acknowledged on this 13 day of June, 1998, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires: September 30, 2001

## Pocahontas Gas Partnership

Docket No. VGOB-92/02/18-0183 Force Pooling Application

Panel By Panel Active Coalbed Methane Units

SLW-5

Total Acres - 450.476 Rev. 2-20-92

(Note: See attached map Exhibit B and B-1 for tract location.)

Page 1

1. Hugh MacRae Land Trust - TR 10 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Consolidation Coal Company - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
E. Mutter - Oil & Gas  
Consolidation Coal Company - Oil & Gas Lessee  
23.169 acres - 5.143%
3. Hugh MacRae Land Trust - TR 21A - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Consolidation Coal Company - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
13.92 acres - 3.090%
4. Hugh MacRae Land Trust - TR 21A - Coal, Oil & Gas  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Consolidation Coal Company - Oil & Gas Lessee  
Pocahontas Gas Partnership - CBM Lessee  
160.855 acres - 35.708%
5. Hugh MacRae Land Trust - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Coal Mountain Mining - Oil & Gas  
5.971 acres - 1.325%
6. Hugh MacRae Land Trust - TR 5 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
R. Horn - Oil & Gas  
10.4660 acres - 2.323%

## Pocahontas Gas Partnership

Docket No. VGOB-92-0121-180

Panel By Panel Active Coalbed Methane Units

SLW-5

Total Acres - 450.476 Rev. 2-20-92

(Note: See attached map Exhibit B and B-1 for tract location.)

Page 2

7. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
88.402 acres - 19.624%
8. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
A. Meadows - Oil & Gas  
20.735 acres - 4.603%
9. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
6.927 acres - 1.538%
10. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
R. Meadows Heirs - Oil & Gas  
11.56 acres - 2.566%
11. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Garden Realty - Oil & Gas  
Consolidation Coal Company - Oil & Gas Lessee  
10.06 acres - 2.233%

## Pocahontas Gas Partnership

Docket No. VGOB-92-0121-180

Panel By Panel Active Coalbed Methane Units

SLW-5

Total Acres - 450.476 Rev. 2-20-92

(Note: See attached map Exhibit B and B-1 for tract location.)

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12. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
17.021 acres - 3.779%
- 12A. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - 1/2 Oil & Gas  
William Tickle - 1/2 Oil & Gas  
Pocahontas Gas Partnership - 1/2 Oil & Gas Lessee  
17.332 acres - 3.847%
13. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
1.263 acres - 0.280%
14. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
3.6470 acres - 0.810%
15. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Consolidation Coal Company - Oil & Gas  
2.688 acres - 0.597%

## Pocahontas Gas Partnership

Docket No. VGOB-92-0121-180

Panel By Panel Active Coalbed Methane Units

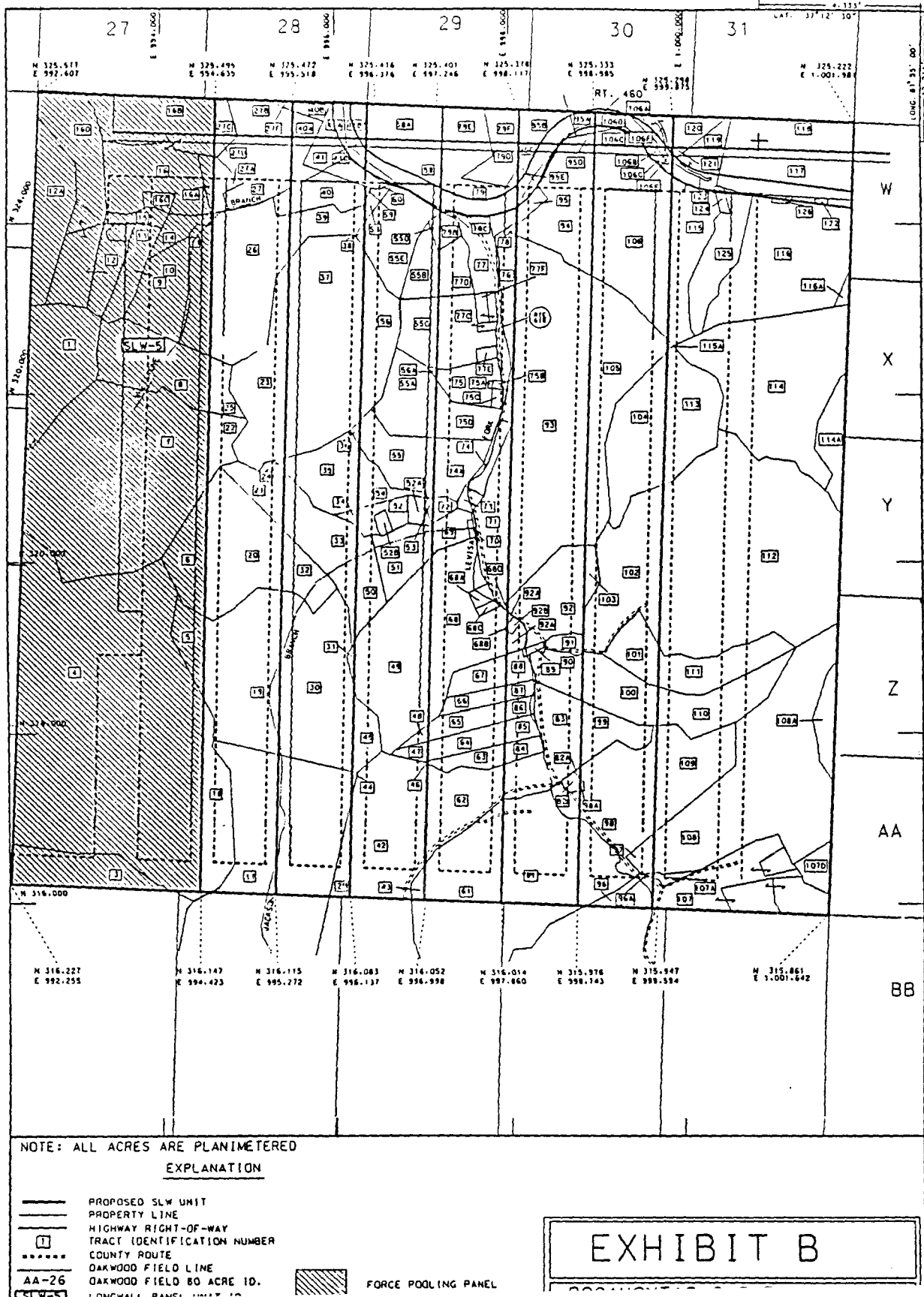
SLW-5

Total Acres -

(Note: See attached map Exhibit B and B-1 for tract location.)

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16. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
A. Meadows - Oil & Gas  
26.179 acres - 5.811%
- 16A. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Pocahontas Gas Partnership - Oil & Gas Lessee  
E. Addison Heirs - Oil & Gas  
1.79 acres - 0.397%
- 16B. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Island Creek Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
A. Meadows - Oil & Gas  
11.424 acres - 2.536%
- 16C. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
J. Meadows - Oil & Gas  
Pocahontas Gas Partnership - Oil & Gas Lessee  
1.62 acres - 0.360%
- 16D. Hugh MacRae Land Trust - TR 17 - Coal  
Coal Lessees  
Permac, Inc.  
Consolidation Coal Company  
Pocahontas Gas Partnership - CBM Lessee  
Garden Realty - Oil & Gas  
Consolidation Coal Company - Oil & Gas Lessee  
15.448 acres - 3.429%



VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 14th day of July, 1998. M. Deed Book No. 478 and Page No. 682 TESTE: James M. Bevins, Jr., Clerk Returned this date to; Cham Adams TESTE: Sherry S. Miller Deputy Clerk





UNIT SLW5  
Docket # VGOB-92-0218-0183-01  
Exhibit B-2  
List of Respondents to be Dismissed

	Reason for Dismissal	Net Acres In Unit	Interest In Unit
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
<b><u>Tract #5 - 5.9710 Acres</u></b>			
(1) Coal Mountain Mining Company P. O. Box 675 Tazewell, VA 24651	Leased	5.97 acres	1.32549%
<b><u>Tract #6 - 10.4660 Acres</u></b>			
(1) Rudy Horn Rt. 1, Box 54 Raven, VA 24639	Purchased	10.47 acres	2.32332%
<b><u>Tract #8 - 20.735 Acres</u></b>			
(1) Amos Meadows 1044 Hewitt Way Bluefield, VA 24605	Purchased	20.74 acres	4.60291%
<b><u>Tract #15 - 26.179 Acres</u></b>			
(1) Amos Meadows 1044 Hewitt Way Bluefield, VA 24605	Purchased	26.18 acres	5.81141%
<b><u>Tract #16B - 11.424 Acres</u></b>			
(1) Amos Meadows 1044 Hewitt Way Bluefield, VA 24605	Purchased	11.42 acres	2.53598%
Island Creek Coal Company Drawer L Oakwood, VA 24631 (COAL LESSEE)	Purchased		

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UNIT SLW5

Docket # VGOB-92-0218-0183-01

Exhibit E

## List of Conflicting Owners/Claimants that require escrow

	Net Acres In Unit	Interest In Unit
<b><u>Tract #1 - 23.169 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 10 P. O. Box 29 Tazewell, VA 24651	23.17 acres	5.14323%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Ernest Mutter P. O. Box 43 Bozoo, WV 24923	23.17 acres	5.14323%
<b><u>Tract #5 - 5.9710 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 5 P. O. Box 29 Tazewell, VA 24651	5.97 acres	1.32549%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Coal Mountain Mining Coal Mountain Trust P. O. Box 676 Tazewell, VA 24651	5.97 acres	1.32549%
<b><u>Tract #6 - 10.4660 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 5 P. O. Box 29 Tazewell, VA 24651	10.47 acres	2.32332%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	10.47 acres	2.32332%
<b><u>Tract #7 - 88.402 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	88.40 acres	19.62413%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	88.40 acres	19.62413%
<b><u>Tract #8 - 20.735 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17	20.74 acres	4.60291%

UNIT SLW8  
Docket # VGOB-92-0218-0183-01  
Exhibit E

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
P. O. Box 29 Tazewell, VA 24651		
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Pocahontas Gas Partnership P. O. Box 947 Bluefield, VA 24605	20.74 acres	4.60291%
<b><u>Tract #9 - 6.927 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	6.93 acres	1.53771%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	6.93 acres	1.53771%
<b><u>Tract #10 - 11.56 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	11.56 acres	2.56617%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	11.56 acres	2.56617%
<b><u>Tract #11 - 10.06 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	10.06 acres	2.23319%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Garden Realty Corporation c/o Betty Boyd King 2370 Lyndhurst Avenue Winston-Salem, NC 27103	10.06 acres	2.23319%
<b><u>Tract #12 - 17.021 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	17.02 acres	3.77845%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		

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## UNIT SLW5

Docket # VGOB-92-0218-0183-01

## Exhibit E

## List of Conflicting Owners/Claimants that require escrow

	Net Acres In Unit	Interest In Unit
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	17.02 acres	3.77845%
<b>Tract #12A - 17.332 Acres</b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	17.33 acres	3.84749%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Pocahontas Gas Partnership P. O. Box 947 Bluefield, VA 24605	8.67 acres 1/2 of 17.332 acres	1.92374%
(2) William Tickle P. O. Box 7022 Cross Lanes, WV 25356	8.67 acres 1/2 of 17.332 acres	1.92374%
<b>Tract #13 - 1.263 Acres</b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	1.26 acres	0.28037%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	1.26 acres	0.28037%
<b>Tract #14 - 3.6470 Acres</b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	3.65 acres	0.80959%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947 Bluefield, VA 24605	3.65 acres	0.80959%
<b>Tract #15 - 2.688 Acres</b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	2.69 acres	0.59670%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Consolidation Coal Company P. O. Box 947	2.69 acres	0.59670%

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UNIT SLW5

Docket # VGOB-82-0218-0183-01

Exhibit E

## List of Conflicting Owners/Claimants that require escrow

	Net Acres In Unit	Interest In Unit
Bluefield, VA 24605		
<b><u>Tract #16 - 26.179 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	26.18 acres	5.81141%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Pocahontas Gas Partnership P. O. Box 947 Bluefield, VA 24605	26.18 acres	5.81141%
<b><u>Tract #16A - 1.79 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	1.79 acres	0.39736%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Ernest Addison Heirs	1.79 acres	0.39736%
(a) Myrtle Addison c/o Ralph Addison 13129 West Brook Drive Centerville, VA 22020	0.60 acres 1/3 of 1.790 acres	0.13245%
(b) Ralph Addison 13129 West Brook Drive Centerville, VA 22020	0.24 acres 2/15 of 1.790 acres	0.05298%
(c) Gayle Henderson Rt. 1, Box 325 Sugar Grove, VA 24375	0.24 acres 2/15 of 1.790 acres	0.05298%
(d) Helen McGrady 3790 Lynd Hurst Drive Fairfax, VA 22031	0.24 acres 2/15 of 1.790 acres	0.05298%
(e) Joe Addison P. O. Box 91 Nokesville, VA 22031	0.24 acres 2/15 of 1.790 acres	0.05298%
(f) Evelyn Massey P. O. Box 149 Centerville, VA 22020	0.24 acres 2/15 of 1.790 acres	0.05298%
<b><u>Tract #16B - 11.424 Acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	11.42 acres	2.53598%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		

UNIT BOOKS 480 PAGE 23  
 Docket # VGOB-92-0218-0183-01  
 Exhibit E

## List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
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(1) Pocahontas Gas Partnership P. O. Box 947 Bluefield, VA 24605	11.42 acres	2.53598%
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Tract #16C - 1.62 AcresCOAL FEE OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	1.62 acres	0.35962%
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OIL & GAS FEE OWNERSHIP

(1) Jackie Meadows Rt. 1, Box 78 Raven, VA 24639	1.62 acres	0.35962%
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Tract #16D - 15.448 AcresCOAL FEE OWNERSHIP

(1) Hugh Macrae Land Trust Tr 17 P. O. Box 29 Tazewell, VA 24651	15.45 acres	3.42926%
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OIL & GAS FEE OWNERSHIP

(h) Garden Realty Corporation c/o Betty Boyd King 3610 Winding Way Winston-Salem NC 27105	15.45 acres	3.42926%
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This docket is being re-recorded due to the omission of the Exhibit B-2 in the original recordation.

Diane Davis  
Program Support Technician Senior

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 11th day of August, 1998.  
Deed Book No. 480 and Page No. 10 TESTE: James M. Bevens, Jr., Clerk  
Returned this date to: Donna E. Abington, Va TESTE: Patricia L. Mel, Deputy Clerk



13-031

INSTRUMENT #980002005  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
AUGUST 11, 1998 AT 11:43AM  
JAMES M. BEVINS JR., CLERK

BY: \_\_\_\_\_

*Cato*